

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION AT COLUMBUS**

LOTUS JUSTICE,

Petitioner, : Case No. 2:21-cv-3584

- vs -

District Judge Sarah D. Morrison  
Magistrate Judge Michael R. Merz

STATE OF OHIO, et al.,

:  
Respondents.

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**REPORT AND RECOMMENDATIONS**

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This habeas corpus case, brought *pro se* by Petitioner Lotus Justice, is before the Court on Petitioner's Motion to Reopen the case based on her recent transfer back into the custody of the Sheriff of Franklin County, Ohio.

The docket shows that this case was dismissed without prejudice because Petitioner had not exhausted her remedies in the Ohio courts for her claimed wrongful pre-trial incarceration (ECF Nos. 21, 47, 48). A change in pre-trial custodians would not affect that basis for dismissal. Petitioner has offered no other basis for disturbing the finality of the judgment in this case. See Fed.R.Civ.P. 60.

Accordingly it is respectfully recommended that the Motion to Reopen be denied.

December 10, 2021.

s/ *Michael R. Merz*  
United States Magistrate Judge

## **NOTICE REGARDING OBJECTIONS**

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections to the proposed findings and recommendations within fourteen days after being served with this Report and Recommendations. Because this document is being served by mail, three days are added under Fed.R.Civ.P. 6, but service is complete when the document is mailed, not when it is received. Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. A party may respond to another party's objections within fourteen days after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. #